

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

**MARC STARR, *et al.*,**

Plaintiffs,

***Individually and on Behalf of All  
Similarly Situated Employees***

v.

**CREDIBLE BEHAVIORAL HEALTH, INC.**

Defendant.

Civil Action No.: 8:20-cv-02986-PJM

**DECLARATION OF BENJAMIN L. DAVIS, III**

I, Benjamin L. Davis, III, hereby declare and state as follows:

1. I am over eighteen (18) years of age and have personal knowledge of the facts contained in this Declaration. If called as a witness, I could testify to these facts based upon my personal knowledge.

2. I am an adult resident of Baltimore City, Maryland.

3. I am an attorney at The Law Offices of Peter T. Nicholl, where I have been employed since March of 2013. I am the attorney of record in this matter and currently represent Plaintiffs and all Class Members. Attorneys Kelly A. Burgy and Scott E. Nevin also represent Plaintiffs and all Class Members.

4. On May 19, 2021, the Honorable Peter J. Messitte issued an Order granting the Plaintiffs' Unopposed Motion for Preliminary Approval of the Settlement in this matter. [ECF No. 21].

5. Pursuant to the terms of the Settlement Agreement, on May 27, 2021, the approved notices were sent to all fifty (50) Plaintiffs and Class Members via first-class mail to

inform them of the preliminary settlement. The approved notices were also sent via electronic mail to all Plaintiffs and Class Members who have their email address on file.

6. Prior to sending the notices to the Class Members, the database Westlaw's Peoplemap was utilized to ensure that Class Counsel had each Class Member's most current address.

7. Based on the initial mailing date, the deadline to submit an objection or to opt-out of the settlement was June 26, 2021.

8. Our office received four (4) notices returned from USPS within the opt-out period. Pursuant to the terms of the Settlement agreement, new addresses were found using Westlaw's Peoplemap database and the notices were resent to the new addresses indicated on June 10, 2021.

9. During the opt-out period, The Law Offices of Peter T. Nicholl received one (1) opt-out notice from Jared C. Webb. *See* Exhibit A.

10. There were no additional opt-out notices submitted within the deadline.

11. There were no additional opt-out notices submitted past the deadline.

12. To date, there have been no objections to the settlement.

13. In accordance with this Court's Memorandum dated June 9, 2021, correspondence was mailed to all Plaintiffs and Class Members on June 17, 2021, which contained the call-in information and the instructions regarding how to attend the Final Fairness Hearing remotely, as well as the instructions that any Class Member who wishes to speak at the Final Fairness Hearing shall contact Plaintiffs' Counsel no later than August 4, 2021. [ECF No. 26]. Said correspondence was also emailed to all Plaintiffs and Class Members who have their email address on file. A copy of said correspondence is attached as Exhibits B-B1.

14. To date, no Plaintiffs or Class Members have notified The Law Offices of Peter T. Nicholl of their desire to speak at the Final Fairness Hearing scheduled for August 11, 2021.

I DECLARE under the penalties of perjury under the laws of the United States of America that the foregoing is true and correct.

8/5/2021  
Executed on (date)

/s/ Benjamin L. Davis, III  
Signature of Declarant

June 2, 2021

Davis III, Burgy, and Nevin  
The Law Offices of Peter T. Nicholl  
36 South Charles Street, Suite 1700  
Baltimore, Maryland 21201

Dear Mr. Benjamin L. Davis III, Esq., Ms. Kelly Burgy, Esq., and Mr. Scott Nevin, Esq.,

I, Jared Webb, would formally like to opt-out from the Settlement against Credible Behavioral Health, Inc., Civil Action No.: 8.20-cv-02986-PMJ. I have read all provided and legal documentation provided by The Law Offices of Peter T. Nicholl and understand that if a Settlement is reached between the Plaintiffs and the Defendant, I will not be included in the Settlement. I therefore waive my right to any financial compensation or gain in the event that the Litigation and Settlement is approved by the District Court System of Maryland.

Please contact me at your earliest convenience to assure me that my name has been removed as a Plaintiff from any documents included in the Civil Action No.: 8.20-cv-02986-PMJ against Credible Behavioral Health, Inc.

Sincerely,



Jared C. Webb  
12 Goodport Lane  
Gaithersburg, MD 20878  
webbjaredc@gmail.com  
440-596-1716

**Exhibit A**

Webb  
12 Goodport Lane  
Gaithersburg, MD 20878

RECEIVED  
JUN 10 2021

The Law Offices of Peter T. Nicholl  
Attn: Davis III, Burgoyne, and Nevin  
36 South Charles Street, Suite 1700  
Baltimore, MD 21201



**PETER T. NICHOLL**

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\* ADMITTED IN MD

\* ADMITTED IN DC

\* ADMITTED IN NJ

▼ ADMITTED IN VA

▼ ADMITTED IN VA, NY, MA

PETER T. NICHOLL \*\*  
WILLIAM C. BURG \*  
CAITLIN K. CARPENTER \*\*  
MICHAEL T. EDMONDS \*\*▼  
WILLIAM BEVERIDGE, JR. \*^▼  
KEVIN P. BILMS ▼  
SCOTT E. NEVIN \*\*▼  
THOMAS F. BURRIS, III ▼  
GEORGE E. SWEGMAN\*  
JONATHAN A. CUSSON \*  
BENJAMIN L. DAVIS, III \*  
JOHN M. WILLIAMS, JR. \*  
KELLY A. BURG \*  
MOLLY A. NICHOLL \*

June 17, 2021

Re: Marc Starr, et al. v. Credible Behavioral Health, Inc.  
U.S. District Court for the District of Maryland  
Civ. No. 8:20-cv-02986-PJM

Dear Class Member:


This letter is to advise you of the status of the potential settlement of your claims against Credible Behavioral Health, Inc. The Court has scheduled the Final Fairness Hearing to take place on **August 11, 2021 at 2:30 p.m. EDT**. Due to the COVID-19 pandemic, the Court will conduct the hearing remotely. Although your presence is **not mandatory**, you may attend by telephone if you so choose. To join the hearing, follow the steps below:

1. Any class member who wishes to listen to the final fairness hearing may call into the public access line provided by the Court:
  - a. Dial **888-557-8511**.
  - b. When prompted, enter the access code **8635789**.
2. Any class member who wishes to speak at the Final Fairness Hearing shall contact Plaintiffs' counsel no later than **August 4, 2021** and inform them of their desire to speak and the length of time for which they intend to speak. Plaintiffs' counsel will then provide those participating class members with a separate conference line they should call into for the hearing.

**You are not required to attend the hearing in order to receive your settlement monies.** If the Final Fairness Hearing is successful and the Court approves the settlement, all settlement proceeds will be issued shortly thereafter.

We are in the final stage of litigation and we appreciate your continued patience. Please feel free to contact me with any questions or concerns.

Very truly yours,



Benjamin L. Davis, III

BLD/bld

**Exhibit B**

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**Subject:** Marc Starr, et al. v. Credible Behavioral Health, Inc. - Remote Hearing Information  
**Date:** Thursday, June 17, 2021 at 2:31:47 Eastern Daylight Time  
**From:** MyLostWages  
**Attachments:**

Dear Class Member:

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We are in the final stage of litigation and we appreciate your continued patience. Please feel free to contact me with any questions or concerns.



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**Exhibit B1**